


to the count. Applicants respectfully request that the Examiner consider this evidence presented after final rejection as establishing clearly that the claimed compounds, directed to salts of prostacyclin in substantially pure form are clearly and patentably distinct from the Moncada claim corresponding to the count directed to prostacyclin itself.

Applicants note that in Interference 100,116 Moncada filed on 13 October 1981 a request for reconsideration of the Patent Interference Examiner's decision dismissing certain Moncada motions unrelated to the contemplated dissolution of the interference at the request of the Examiner under 37 CFR 1.237. Inasmuch as the interference file will not be transmitted to the Primary Examiner until after the present request for reconsideration filed by Moncada is decided (and possibly until after further procedural maneuvering by Moncada is also completed), the presentation of the present evidence after final rejection is asserted to be proper under the provisions of 37 CFR 1.116 inasmuch as the issues in the present case are placed in better form for appeal by providing for the Board's reference a brief summary of the relationship between the issue in Interference 100,116, the parties' claims corresponding thereto, and the patentable distinction from the Moncada claim corresponding to the count evidenced by the subject matter of applicants' instant claims.

Respectfully submitted,



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